JIC - STUDENT CODE OF CONDUCT

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Promoting ethical and responsible student behavior is an essential component of the MSAD #35 Board’s educational mission.

The MSAD #35 is committed to maintaining a safe, respectful and orderly school environment in which students may receive and staff may deliver quality education without disruption or interference and in which students may develop as ethical, responsible and involved citizens.

To achieve this goal, the Board has developed this Student Code of Conduct with input from school administrators, staff, students, parents and the community. Based on values identified as essential to ethical and responsible behavior, the Code articulates the MSAD #35 Board’s expectations for student conduct.

The Board believes that each member of the school community should take responsibility for his/her own behavior. To that end, the Board recognizes the need to define unacceptable student conduct, identify the possible consequences for unacceptable conduct, and ensure that discipline is administered fairly, promptly, and appropriately.

The Student Code of Conduct applies to students who are on school property, who are in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline, or general welfare of the school.

The Student Code of Conduct shall be distributed to students, parents and staff through handbooks and/or other methods deemed appropriate by the Superintendent and building administrators.

Standards for Ethical and Responsible Behavior

The Code of Conduct is intended to support and encourage students to meet the following standards for ethical and responsible behavior:

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage

Code of Conduct

All students are expected to comply with the Code of Conduct and all related Board policies and school rules. The Code applies to students:

- On school property,
- While in attendance at school or at any school-sponsored activity, or
- At any time or place that such conduct directly interferes with the operations, discipline or general welfare of the school.

General Behavior Expectations and Discipline Policies

The following expectations for student behavior are fundamental to the safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.
7. Meet school standards for grooming and dress.
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.

Violations of the Code of Conduct may result in disciplinary action. Disciplinary consequences depend upon the seriousness of the violation and the student's prior disciplinary record. Consequences will range from a verbal warning for minor violations up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

Expectations

The following is a summary of the school unit's expectations for student behavior. In many cases, the Board has adopted policies that address these expectations in greater detail. Students, parents and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between the Code of Conduct, Board policies, and/or school handbooks, the Board's policies will prevail.

A. Violence and Threats

Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion.

B. Weapons

Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives, and knives). Students also shall not use any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce, or harass another person (examples include but are not limited to bats, lighters, tools, and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion.

C. Bullying

Bullying is not acceptable conduct in MSAD # 35 schools and is prohibited. Any student who engages in conduct that constitutes bullying shall be subject to disciplinary consequences including suspension and expulsion. A student's bullying behavior may also be addressed through other behavioral interventions.

D. Hazing

Hazing is prohibited. Maine law defines injurious hazing as "any action or situation, including harassing behavior that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in public school." No student shall plan, encourage, or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion and/or other appropriate disciplinary measures.

E. Discrimination and Harassment/Sexual Harassment

Students should not discriminate against other students on the basis of perceived race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status, disability, or genetic information

Nor should students harass one another on the basis of perceived race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status, disability, or genetic information.

Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.

For the purpose of this policy, "race" includes traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles, including braids, twists, and locs.

F. Drug and Alcohol Use

Students shall not distribute, possess, use or be under the influence of "bath salts" or of any alcoholic beverage, drug, or look-alike substance as described in Board policy. Violations may

result in disciplinary action up to and including expulsion from school.

G. Tobacco Use

Students shall not smoke, use, possess, sell or distribute any tobacco products. This prohibition also applies to e-cigarettes and products and paraphernalia associated with "vaping." Violations of this policy may result in disciplinary action up to and including expulsion from school.

H. Conduct on School Buses

Students must comply with all school rules while on school buses. Students who violate these rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon the particular violation.

I. Computer/Internet Use

Students may use school computers, networks and Internet services only for educational purposes. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in suspension or cancellation of computer privileges as well as additional disciplinary and/or legal action.

J. Athletic/Extracurricular Activities

Students must follow all MSAD #35 Board policies and school rules while participating in athletics and extracurricular activities. Students who violate policies and rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Board policies and/or school rules.

Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. School administrators have the discretion to tailor discipline to the facts and circumstances of the particular situation. Disciplinary consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses.

The following limitations on expulsions and out-of-school suspensions for students in grade 5 or below:

1. Students in grade five or below may only be expelled for violations of the federal Gun-Free Schools Act, as provided in 20-A MRSA § 1001(9-A). The Superintendent may determine on a case-by-case basis, in writing that an expulsion is not required.

2. Students in grade five or below may not receive an out-of-school suspension except when a student a) has violated the federal Gun-Free Schools Act or b) presents an imminent danger

of serious physical injury to the student or others, and it is determined that less restrictive interventions would be ineffective.

3. Any out-of-school suspension of a student in grade five or below can be no longer than three school days.

4. Recess may not be withheld as a consequence of violating this Code of Conduct by any student enrolled in grade five or below, except when recess is the only time when restorative interventions can occur.

Removal of Disruptive/Violent/Threatening Students

Staff procedure for addressing reports of dangerous behavior can be found in policy JICIA-R.

Form for reporting dangerous behavior by a student can be found in policy JICIA-E1.

1. Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.

2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.

3. Staff members should not use force or restraint, except only to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.

4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's emergency management plan if appropriate.

Special Services

1. Referral. The school unit has adopted policies and procedures for determining when a student shall be referred for special services.

2. Review of Individual Educational Plan. The school shall schedule a meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or others; b) the class removals are sufficient to constitute a change in the student's special education program, or c) school officials or the parent believes that the student's behavior

may warrant a change in educational programming.

Referrals to Law Enforcement Authorities

The Superintendent and principals have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/principals may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

Dissemination of the Student Code of Conduct

The Student Code of Conduct and summary of consequences for violation of the Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference:

20-A MRSA §§ 254 (11); 1001 (15)
Standards for Ethical and Responsible Behavior in Maine Schools and Communities (Report of the Commission for Ethical and Responsible Behavior, 2/01)

Cross Reference:

AC - Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA/ACAA-R - Harassment and Sexual Harassment of Students
ACAD - Hazing
ADAA - School System Commitment to Standards for Ethical and Responsible Behavior

ADC – Use of and Possession of Tobacco and Electronic Smoking Devices

EBCC - Bomb Threats
IHBAA – Referral and Use of General Education Interventions
IHBAC - Child Find
IJNDB – Student Computer and Internet Use and Internet Safety
JICH - Drug and Alcohol Use by Students
JICK - Bullying
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
JKF - Disciplinary Removals of Students with Disabilities

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